



**OREGON HOUSE OF REPRESENTATIVES
SPEAKER OF THE HOUSE**

September 6, 2016

ATTN: Harbor Comments
U.S. Environmental Protection Agency
805 SW Broadway, Suite 500
Portland, OR 97205

RE: Comments on Portland Harbor Superfund Proposed Plan

To Whom It May Concern:

As the State Representative for House District 44 (N/NE Portland), which includes a significant portion of the Portland Harbor Superfund Site, I am submitting brief comments on the Proposed Plan to clean up the site to protect human health and the environment. The clean-up of the river is critically important to the health, livability, and economic vitality of the district.

Community Impact

I do not support including the Confined Disposal Facility suggested for Terminal 4 in the final record of decision (ROD). Other ways to dispose of the contaminated sediment should be considered instead.

It is essential that the clean-up plan require a coordinated effort with local and state government, especially regarding effective communication of fish advisories through close collaboration with the Oregon Health Authority and Multnomah County Public Health.

The ROD should include a mechanism for local workforce training and hiring to ensure resources spent on mitigation efforts can have a positive employment impact on the communities most affected by the contaminated site.

Flexibility for Implementation

Given the unusual scale of the site and the decade already spent getting to this point, it is prudent to allow for flexibility in implementation and encourage the clean-up to commence in defined hot spots as quickly as possible. This may need to involve identifying operable units and assigning the clean-up of these units to local partners. Any division of the site into operable units must be accompanied by strong public accountability measures.

Again, given the length of time it has taken to get to this point in the process and the progress made on eliminating upland contamination, it is possible that some parts of the site may be less contaminated than what was found by previous analyses, and thus there should be some flexibility in changing which clean-up techniques are ultimately employed in particular spots.

Lastly, given the length of time the clean-up may take, it is practical to allow for the utilization of new technologies as they become available and the ability to shift technology in specific spots for maximum efficiency and effectiveness.

Focus on Outcomes

The complexity of the Portland Harbor Superfund Site has already resulted in years of work costing millions of dollars. Some Possibly Responsible Parties (PRPs) are ready to step up, do the right thing, and start the clean-up. It would be wise, with the appropriate oversight and accountability measures, to create a process for willing PRPs to begin cleaning areas of concern while other PRPs prefer to challenge things in the courts.

In the end, the public will be best served by a plan that appropriately balances the most risk reduction with the most effective and efficient approach to cleaning up the river.

Thank you for your consideration of these comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Tina Kotek", with a stylized, cursive script.

State Representative Tina Kotek
House District 44, North/NE Portland
Speaker of the House